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J. D. L. (2)

ANSWER

TO A

PAMPHLET

INTITLED

*Previous Promises inconsistent with
a free Parliament.*

The Third Edition, with Additions.

W. G.

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THE question is, Whether candidates, on the present occasion, can properly promise to oppose money-bills of longer duration than six months; until a law be obtained to limit the length of parliaments.

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The arguments in the pamphlet, on this question, being somewhat involved in declamation ; I have, for sake of brevity and ease of the reader, extracted the substance of them. If I have not done them justice, I hope the author will impute it to misapprehension ; my intention being, to put them in as strong a light as they can bear.

As to the arrogance and indecency, bordering on scurrility, which the pamphlet abounds with ; I acknowledge myself incapable of answering it : being ignorant of that stile in writing.

I can not proceed without remarking, that our author has treated a certain gentleman of the law improperly. An anonymous author who descends to personal abuse, stabs, or *attempts* to stab, in the dark ; and sinks into the character of an assassin. I know it is thought, for my part I am clear, the author, whoever he be, DURST not attack that gentleman in any other manner.

FIRST

FIRST ARGUMENT.

The short money-bill-scheme is disrespectful to the king ; implies a suspicion of his not intending to do right ; and is a menace that they will compel him to do that right, which they suppose he will refuse. It is a disrespect to good kings, to put upon their actions an appearance of force, which becometh tyrants only.

Such bare-faced sophistry is amazing. Every one knows, in our happy and wise constitution, the king acts by his ministers ; that HIS acts are THEIRS ; and that although THEY may err, HE can do no WRONG. Upon whom, then, does the *suspicion, threat, menace, appearance of force, disrespect*, or whatever else the author pleases to call it, upon whom does it fall ? Upon whom can it fall, but upon such of his majesty's servants as are interested in opposing a law to limit the length of parliaments in this kingdom ? Who they are, the reader will judge. 'Tis obvious, they must be of this kingdom, or in immediate connexion with it.

It surprises me to see that old, silly, exploded artifice revived on this occasion. I am

shocked to hear the SACRED name of MAJESTY prostituted to such purposes ; impiously, prophanely prostituted to screen delegates in power.

Hath his majesty a protestant subject in this kingdom, whose unshaken loyalty, whose unalterable attachment to his sacred person, family and government, can admit of the least doubt ? Who is there, in the kingdom, that can exclude from his breast the most sanguine hopes in the glory of the present reign ? Who, then, is the person guilty of *disrespect*, of the highest injustice to our monarch and his faithful subjects ? Is it the man who would promote a measure, highly conducive to the united interest of king and people ; or the man who would treacherously insinuate a want of due *respect* for his majesty, in subjects who never were, nor ever can be exceeded in loyalty, affection and honour for their SOVEREIGN, by any subjects, in any country or age ?

SECOND ARGUMENT.

Promises made by candidates to electors, which the law doth not oblige them to make, are subversive of the freedom of parliament; and, consequently, destructive of the constitution. It appears from the MODUS TENENDI PARLIAMENTUM, the WRIT OF SUMMONS, and the indenture between the RETURNING OFFICER and the ELECTORS, that the elected have full power to act and consent in the affairs about which they shall be called to treat; the same power which the electors themselves would have, if they constituted the lower house of parliament, without election of representatives: But any promise touching their conduct in parliament, is a manifest restraint upon that full power; and disqualifies them from considering, and treating, and forming a judgment of the matters before them.

This gentleman would have the freedom of parliament understood in a most extraordinary sense. He takes it to be an *absolute, unlimited freedom*: Which opinion of his,

arise from a total misconception of the constitution.

No man can say, that any single member of the HOUSE hath a higher or more enlarged freedom in his acts as a member, than the whole HOUSE hath in its acts as a branch of the legislature; or that any single branch of the legislature hath a higher or more enlarged freedom, than the whole three branches, concurring as the legislative body.

Suppose, then, an act of parliament, utterly to abolish the COMMONS and vest the whole legislative power in the other two branches; (a supposition, allowable in theory) can any man be so wild to imagine that such an act would be valid? Would it not be a manifest, absolute nullity?

Every man, conversant in constitutional matters, knows that acts of parliament, plainly repugnant to natural justice, have always been adjudged nullities in courts of justice; and these judgments, fully acquiesced in.

Where, then, is the omnipotence of parliament? What becomes of the *absolute, unlimited freedom* of individuals in the HOUSE; a *freedom*, admitting *no restraint*? It falls to the ground; as a notion,

notion, clearly repugnant to the constitution, and utterly destructive of it.

The true *parliamentary freedom* which every representative is intitled to, and ought to retain, is clearly no more than this; a freedom to act as his judgment directs, consistently with natural justice and the fundamentals of our CONSTITUTIONAL FREEDOM.

The question then will be, whether parliaments of unlimited duration be consistent with the fundamentals of our CONSTITUTIONAL FREEDOM.

This question can admit of no doubt, with any man who hath any knowledge of the constitution.

Parliaments, until the reign of *Henry* the eighth, were, by general, immemorial usage, limited to a single session: And this limitation, ever till then, inviolably adhered to; even when more than one session was necessary in a year: Prorogation of parliament, never before heard of. The COMMON LAW hath no other foundation than general, immemorial usage: Nor can there be a clearer or stronger foundation of any property, right or privilege.

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The consequence is, that the electors, at the time of *Henry* the eighth's innovation, had a CLEAR, FUNDAMENTAL, CONSTITUTIONAL RIGHT, by COMMON LAW, of electing new representatives for every session. Surely it will not be pretended, that an act of the CROWN could deprive them of a RIGHT to which they were intitled by COMMON LAW ; or that IRELAND is not intitled to every benefit of the COMMON LAW, so far as it remains uncontrouled by act of parliament. How then hath IRELAND forfeited this CLEAR, FUNDAMENTAL, CONSTITUTIONAL RIGHT of electing new representatives for every session? But, if his majesty's subjects of IRELAND, instead of this RIGHT, desire only that their parliaments may be limited to six or seven years ; can it be made a question, whether they have an indisputable, constitutional RIGHT to such limitation ; or can there be a representative, in virtue of his *parliamentary freedom*, at liberty to deny this RIGHT ?

If IRELAND hath a clear, CONSTITUTIONAL RIGHT to this limitation of her parliaments ; it clearly follows, that every representative is, by his PARLIAMENTARY TRUST, indispensably

penfably bound to his constituents, his king and country, to use the most probable, legal means for obtaining a law to assert this RIGHT. Is there, in the moral or christian system, a higher or stronger obligation? How, then, can a promise bind faster? Doth such a promise induce any new restraint, in a matter wherein the representative was at liberty before? How, then, can it abridge his *parliamentary freedom*?

Our author implicitly admits, and indeed it cannot be denied, that promises made by candidates to electors, which the law obliged them to make; would not be subversive of *parliamentary freedom*. One would think it follows stronger, that promises made by candidates to do a thing which they could not omit doing, without violating the highest trust; without abandoning the constitution; without trampling on all laws, human and divine; cannot be subversive of this *freedom*.
 —But I have taken up too much time in evincing what is, in reality, self-evident.

THIRD ARGUMENT.

The bill for limiting the length of parliaments will PROBABLY be dropped in the council of Great-Britain; it being PROBABLE that they, properly jealous of the HONOUR of the crown, will advise the young king not to submit to such DEMAGOGUES, in the beginning of his reign. And if the bill returns; it will PROBABLY be rejected by the lords. And the scheme, if persisted in, will PROBABLY soon end in a dissolution of parliament. And it is not PROBABLE that promises given the constituents, to promote this scheme, will be adher'd to. Therefore the scheme is an ABSURD PROJECT, a RIDICULOUS ATTEMPT.

Supposing the PREMISES, in this curious piece of reasoning, ever so just; what becomes of the CONCLUSION? *It is not PROBABLE that the scheme will succeed: Therefore it is ABSURD and RIDICULOUS.* If there be any chance, any possibility of success, it ought to be attempted; unless a more probable scheme be proposed; which is not yet done.

He thinks it *probable*, the *British* council will advise his majesty against passing the
limiting

limiting bill, there. The only reason he gives for this notion, is, that passing it would be inconsistent with his majesty's honour. The impious fallacy of this, is exposed in the answer to his first argument.

He gives no reason why he thinks it *probable* that the bill, if it returns, will be rejected by the lords; or that the scheme, if persisted in, will end in a *dissolution*.

Can it be doubted that the concurrence, or even acquiescence of the *Irish leaders*, added to the sense of the COMMONS and the two COUNCILS, would carry the bill through the HOUSE OF LORDS? Or is it to be conceiv'd that these *leaders* would oppose the united sense of the NATION, the COMMONS and the two COUNCILS; or even the sense of the COMMONS and NATION, corroborated by the short money-bill; how detrimental soever to their own power?

His imagination that the representatives will *probably* break these public compacts enter'd into between them and the constituents, is, to me, the most astonishing of any thing I have met with, in this extraordinary performance. Men are too apt to
judge

judge of others by themselves: But I am not so uncharitable, to think this the author's case. I shall readily admit that many men are, in their hearts, abandoned: But there are few, quite abandoned to the sense of shame. Is there a GENTLEMAN who could live under such a load of infamy as would necessarily be brought upon him, by a public breach of such a compact, publicly enter'd into, on a solemn occasion, with an aggregate body?

Notwithstanding his *parliamentary freedom*, he is quite easy about *promises of utmost endeavours* to obtain short parliaments; well knowing, indeed implicitly admitting, that such general promises can not be effectual. 'Tis evident that the septennial bill, as often as it is introduced, may safely be permitted to pass the COMMONS without opposition; (as a decennial bill was, a SESSION or two ago) but, without a short money-bill, what hope of its return?

He says, we have not had a parliament since the commencement of parliamentary journals, that can reasonably be called a long one, but the last; none, but the last, exceeding ten or twelve years. How he came to think a parliament of ten or twelve

twelve years-standing, not a long one; or why the SEPTENNIAL STANDARD ought to be exceeded; is not easy to conceive. I never met with any colourable argument in support of such an opinion. Some contend, "that, as we usually have only one SESSION in two years; fourteen years *here*, would be equivalent to seven in *Great-Britain*." But this is nothing more than a quible; the fallacy of it, glaring. Can any man imagine, it is number of SESSIONS, and not length of time, that furnishes still further means of CORRUPTION? What is it, but the distance of a GENERAL ELECTION co-operating with CORRUPTION, that can utterly divest a representative of all regard to the general sense of the nation? There are men, so weak or prostitute as to urge the evils attending ELECTIONS, (*Drunkenness, Idleness, Dissention, Tumult, &c.*) as an argument against short parliaments; although the evils attending long parliaments (quite of a different species) must be allowed, beyond comparison, greater. Was it ever doubted, that long parliaments are subversive of our CONSTITUTIONAL FREEDOM? With all the evils attending elections,

elections ; exaggerated to the utmost ; multiplied an hundred fold ; could any man in his senses hesitate a moment, which to chuse ; **SHORT PARLIAMENTS** or **SLAVERY** ?

How this author came to connect his panyric on the late parliament with the present question, I cannot conceive. He hath had the modesty, or prudence, not to dispute the maxim, “ that short parliaments
“ are the fundamental pillar of our constitution ; and that long parliaments, if
“ persever’d in, must at length destroy it.” Yet he hath not acknowledged the self-evident truth ; but leaves his readers in doubt, whether he will not, at another day, if the *word of command* be given, *plumply* deny it.

Upon the whole, I am to presume that his vindication of the last parliament is intended as argumentative, on his side of the present question.

Considered in this light ; supposing it just, in every particular ; the arguments deducible from it will stand thus :

The last parliament made several good laws ; and were so LIBERAL, MUNIFICENT, CHARITABLE and GENEROUS, as to apply part of

of the PUBLIC money to PUBLIC works (CANALS, HARBOURS, &c.) and other PUBLIC uses: Therefore no part of the PUBLIC money was misapplied, during their guardianship thereof: Consequently they discharged, not only their guardianship of the PUBLIC money but also all other parts of their PARLIAMENTARY TRUST, with as much fidelity, vigilance and public spirit, and with the same regard to the general sense of their CONSTITUENTS, upon all occasions, as if they had been limited in manner now desired.

This kingdom hath been gradually improving in trade, manufactures and wealth; under unlimited parliaments: Therefore it is FACTIOUS, ABSURD and RIDICULOUS to desire a limitation: It being well known to all men of knowledge in history, that the liberty of every free country always became more and more secure, as it increas'd in wealth, and the natural offspring of wealth, LUXURY, CORRUPTION, GAMING, VENALITY, &c.

He talks of political creeds.. If I can judge of him from the sample he has given of himself; I am apt to think, his creed would be something to this effect.

*“ I, A. B. do verily believe in my conscience, that VIRTUE is an empty sound,
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“ a meer name, invented by the clergy for
 “ their own purposes ; in which they have
 “ never been able to prevail, but among
 “ FOOLS and MAD MEN : And every other
 “ man (without exception) who talks of
 “ *public virtue, public spirit, duty to his*
 “ *country*, and such like *chimeras*, is a
 “ KNAVE at bottom.—That the interest of
 “ the king and that of his ministers and sub-
 “ ministers, in both kingdoms, being inva-
 “ riably and inseparably connected ; and the
 “ HONOUR of the crown, therefore, necessarily
 “ engaged in supporting and enlarging what-
 “ ever power or influence any ministerial
 “ man or set of men may have acquired, a-
 “ gainst all attempts of the people to abridge
 “ it ; whoever acts or writes or speaks or
 “ whispers any thing for the common good,
 “ tending to impair, in any degree, the
 “ power, influence or interest of any of his
 “ majesty’s servants, is guilty of the highest
 “ *disrespect*, not only to his present majesty,
 “ but also to his royal ancestors and the
 “ whole royal family ; is *turbulent, discon-*
 “ *tented, ambitious, audacious, factious, se-*
 “ *ditionous, demagogue, incendiary, leveller,*
 “ *rioter, enemy to his king and country.*”

F I N I S.



